

1 E. MARTIN ESTRADA
2 United States Attorney
3 DAVID M. HARRIS
4 Assistant United States Attorney
5 Chief, Civil Division
6 CEDINA M. KIM
7 Assistant United States Attorney
8 Senior Trial Attorney, Civil Division
9 SUSAN L. SMITH, CA STATE BAR NO.: 253808
10 Special Assistant United States Attorney
11 Social Security Administration
12 160 Spear Street, Suite 800
13 San Francisco, California 94105
14 Tel: (510) 970-4857
15 Fax: (415) 744-0134
16 E-mail: Susan.L.Smith@ssa.gov

JS-6

12 Attorneys for Defendant
13

14 UNITED STATES DISTRICT COURT
15 CENTRAL DISTRICT OF CALIFORNIA
16 WESTERN DIVISION

17 JASON ERIK LUND,

18 Plaintiff,

No. 2:22-cv-06123-GW-PVC

JUDGMENT OF REMAND

19 v.

20 KILOLO KIJAKAZI,

21 Acting Commissioner of Social
Security,

22 Defendant.

23

24

25

26

27

28

The Court having approved the parties' Stipulation to Remand for Further Proceedings Pursuant to Sentence Four of 42.U.S.C. § 405(g) and for Entry of Judgment in Favor of Plaintiff ("Stipulation to Remand") lodged concurrent with the lodging of the within Judgment of Remand, **IT IS HEREBY ORDERED, ADJUDGED AND DECREED** that the above-captioned action is remanded to the Commissioner of Social Security for further proceedings consistent with the Stipulation to Remand.¹

DATED: December 2, 2022

Paul Miller

HON. PEDRO V. CASTILLO
UNITED STATES MAGISTRATE JUDGE

¹ In *Bastidas v. Chappell*, 791 F.3d 1155 (9th Cir. 2015), the Ninth Circuit held that the magistrate judge had the authority to grant Petitioner’s request to dismiss two unexhausted claims in his habeas petition without the approval of a district judge, as the magistrate judge’s order was simply “doing what [the] habeas petitioner has asked.” Id. at 1165. While *Bastidas* is not entirely on point, the stipulation for remand and entry of judgment here is jointly made by the parties, without any compulsion from the magistrate judge. Because there appears to be no danger of undue prejudice to any party, the Court grants the request.